

July 28, 2023

The Honorable Chief Judge Alan Trust  
Courtroom 960  
United States Bankruptcy Court  
Eastern District of New York  
Alfonse M. D'Amato Federal Courthouse  
290 Federal Plaza  
Central Islip, New York 11722

**Re: *In re Brickchurch Enters., Inc.*, Chapter 11 Case No. 8-22-70914-ast (the “Chapter 11 Case”); Joint Letter of the Debtor and Bay Point Capital Advisors, LP Regarding Status of Negotiations**

Dear Judge Trust,

Brickchurch Enterprises, Inc., debtor and debtor in possession in the Chapter 11 Case (the “*Debtor*”) and the DIP Lender Bay Point Capital Partners II, LP (“*Bay Point*,” with the Debtor, the “*Parties*”) hereby respectfully submit this joint letter regarding the status of negotiations with respect to consensually resolving the Debtor’s exit from chapter 11.

At the July 18, 2023 hearing before the Court, the Parties were instructed by the Court to inform the Court by July 28, 2023 whether the Parties desired to move forward with a joint plan or an agreed dismissal. The Parties have made substantial progress in working towards a mutually agreeable path forward. However, for reasons beyond the Parties’ control, the Parties were unable to confirm the details of an arrangement by today, July 28, 2023. The Parties believe that it is in the best interest of all creditors to fully explore a potential joint plan and, accordingly, respectfully request that the Court allow the Parties until Monday, July 31, 2023 to file a letter with the Court to confirm whether the Parties are moving forward with a joint plan, agreed dismissal, or otherwise have not been able to come to an agreement.

Respectfully submitted,

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**SIMMONS LEGAL PLLC**

/s/ Camisha L. Simmons

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